

**WILKINSBURG BOROUGH**  
**Council Work Session**  
**January 7, 2015**

**CALL TO ORDER**

President McCarthy-Johnson called the meeting to order at approximately 6:35 pm in Council Chambers, second floor of the Municipal Building, 605 Ross Avenue, Wilkinsburg, PA 15221.

**ROLL CALL**

The roll was called to establish a quorum. Present were Mr. Lefebvre, Ms. Garrett, Mr. Taiani, Ms. Trice Ms. Moore, Ms. Grannemann, Mr. Shattuck, Ms. Macklin, and President McCarthy-Johnson, Solicitor. Administrative Assistant Cindy Bahn and Finance Director Dave Egler were also present. A quorum was established.

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, a moment of silence was observed to remember victims of violent crime.

**PUBLIC COMMENT**

**Linda Kauffman – 555 Mifflin Avenue** – Ms. Kauffman noted that the Borough has owned Green Street Park since 1957 when it was transferred to the Borough by the school district. She stated that while the sale was made and everyone signed off, the deed was never recorded. Allegheny County records from 2004 indicated that it is the Borough's property. Ms. Kauffmann related that in 1966 the Borough planned improvements to the playground that included a sandpit, drinking fountain, a water feature, miscellaneous playground equipment, bike racks, two basketball courts, tennis courts, and the separation of the playground areas for the younger and older children. A ground-breaking ceremony was held April 4, 1968. Ms. Kauffmann further noted that she has 12 records from local newspapers attesting to the successful programs held at the Park, and the Borough's commitment to its later redevelopment.

**Mary Cathcart – 519 Mifflin Avenue** – Ms. Cathcart noted that it's important to maintain green spaces as they increase the value of the neighborhood and homes. She further noted that each spring the neighbors come together for a community clean-up of Green Street Park that does not cost the Borough anything, and neighbors also plant flowers, pick up trash and dog waste. She stated that Frick Park is a less desirable alternative as children have to cross Braddock Avenue.

**Madeline Spezialetti – 535 Mifflin Avenue** – Ms. Spezialetti remarked that she played in Green Street Park as a child, when arts and crafts were offered. She noted that she had fond community memories, and feels invested in the park, which is a gathering spot for the community.

Ms. Spezialetti believes that a small park in the middle of a neighborhood is one thing that makes Wilkinsburg unique. She further commented that she would like Wilkinsburg children to be able to make the same kind of memories she made at Green Street Park.

**Elizabeth Ebel – 533 Mifflin Avenue** – Ms. Ebel noted that she moved from Fox Chapel to Wilkinsburg and that she uses the park on a daily basis to walk her dogs. She suggested that people who think that the park is not being used or that it looks derelict are not seeing the children who play there. Ms. Ebel stated that she came from the suburbs where yards are often bigger than parks, and that if Green Street Park is used for development, it will change the nature of the neighborhood and she will sell her house.

**Kate Luxemburg – 432 Rebecca** – Ms. Luxemburg commented that the new street signs are nice but that Kelly Avenue is an “Avenue”, not a “Street” as indicated on the sign. She suggested that the Borough file a lien on the Green Street Park for all the years of insurance coverage provided by the Borough. She compared housing stock in Wilkinsburg with houses in Point Breeze near the bowling greens. When the City of Pittsburgh wanted to close the bowling greens because of the cost of maintaining them, Ms. Luxemburg noted that the Lawn Bowling Association stepped forward and agreed to bear all costs of maintenance in exchange for Pittsburgh agreeing not to close the greens. Ms. Luxemburg proposed that something similar could be done with Green Street Park.

## **FINANCE**

### **1. Approval – Authorization for expenditure of \$3,485 for additional street sign posts.**

Borough Engineer Dave Gilliland explained that additional posts are required because some of the old posts were rusted, and others were U-posts whereas the new signs require round posts. He noted that some of the signs themselves are incorrect, but he was using a list provided by DPW. Ms. McCarthy-Johnson asked if the contractor used the master list, and Mr. Gilliland replied that they had, and that will email the list. Ms. Moore asked if all the faded signs are being replaced, and Mr. Gilliland responded that he could not answer that, as changes were made to the list over time. Several questions arose regarding the appearance of the signs, which Mr. Gilliland noted are regulated by Federal law as to the color, font, size, etc.

**2. Discussion – Rate of pay for SEIU employees for pay period spanning 2014-2015.** Council agreed, by consensus, to split the rates between the two years.

### **3. Discussion – Expenses for 2014 Holiday Parade.**

The parade budget was set at \$500, but the school district did not provide buses for Obama School students as they had in the past, increasing the cost to the Borough. It was noted that the Parade Committee did not ask the school district to pay for the buses until the week before the parade. Mr. Lefebvre asked if the Committee knew that their budget was \$500, and Ms. McCarthy-Johnson replied that the Mayor knew. Mr. Lefebvre then asked who was on the Committee, and Ms. McCarthy-Johnson responded that the Committee was made up of John and

Barbara Johnson and Cara Whitfield. She noted that she would like the community to plan these events in the future, and that she would like to sit down with the Mayor and get dates early for planning purposes. Ms. Macklin asked if the funds were advanced for the costs associated with the parade, and Ms. McCarthy-Johnson responded that the Borough had not yet received any invoices. Mr. Taiani suggested that Council take no action until receipts are submitted and that then Council only approve the budgeted amount. All concurred with Mr. Taiani's suggestion.

A motion was made by Mr. Taiani, second by Mr. Lefebvre, to take no Council action until receipts are submitted for reimbursement for the costs of the Parade, and then to only reimburse up to the \$500 budgeted amount. .

**All voted in favor of the motion. Motion carried 9-0.**

## **PUBLIC SAFETY**

Ms. Vanessa McCarthy-Johnson noted that the Police Chief was present and asked if Council members had any questions for her. Ms. Macklin inquired as to the status of the hiring process. Ms. Moore asked if the Borough is going to have a safety committee. Ms. Coleman responded that she feels it is important to have a committee and Ms. Moore, Ms. Trice and Ms. Macklin agreed that they would like to see a committee. Ms. Coleman noted that she will have Ms. Krempasky look into it. Ms. Grannemann asked about the status of a warming center in the Borough. Ms. McCarthy-Johnson noted that Ms. Coleman looked into it, and Ms. Macklin added that it's in the agreement with the Pittsburgh Bureau of Fire.

Mr. Taiani noted that in the 400-500 block of Kelly Avenue, parents park in a "No Parking" area and that violators need to be cited. He also stated that the other side of the street is permit parking only. Ms. Coleman noted that this is not a dereliction of parking enforcement duty, but that the Police Department will not penalize parents who are picking up their children, as it's more unsafe for children to walk the entire way. She stated that she would have the Department monitor for 30 days. Ms. McCarthy-Johnson stated that the subject is done, and pointed out that other schools, such as Shady Academy and Frick Environmental have the same issue, but that Kelly is a much narrower street. She further stated that the Kelly School principal has agreed to let parents use the circle, but parents must pick up their children and leave.

.

## **GENERAL MATTERS**

### **1. Discussion – PHLF-Land Development Plan for 604-606 Mulberry Street.**

Mr. Shattuck noted that the PHLF came before the Planning Commission for consolidation, and last month they came before Council for a reverse sub-division. The Planning Commission issued a conditional approval; the PHLF has met all requirements.

Ms. Macklin moved to accept the PHLF Land Development Plan for 604-606 Mulberry Street and Mr. Taiani seconded the motion.

**All voted in favor of the motion. Motion carried 9-0.**

**2. Approval-Authorization for advertisement of sealed bids for lock/block number 176-C-285.**

Ms. Macklin moved the authorization of the advertisement of sealed bids for lot/block number 176-C-285 and Ms. Garrett seconded the motion. Mr. Taiani abstained.

**Motion carried 8-0, with 1 abstention.**

**3. Approval –Authorization for re-submission of CITF grants for the reconstruction of Hay Street and for consolidated new pump station.**

Mr. Gilliland noted that the deadline for grant applications is February 27<sup>th</sup>. Mr. Shattuck suggested that the Borough try into another project, as we don't currently have a "baked" project, and the application would be more competitive if we did. He noted that he has a list of what was funded and what wasn't for the past 4 years, and that maintenance of public infrastructure doesn't get funded. Ms. Macklin asked for project recommendations, and Mr. Shattuck suggested tying in demolitions, the adopted municipal map and Main Street plans. Ms. Macklin suggested including the Ardmore Boulevard wall, and Mr. Shattuck responded that the grant is topped at \$250,000. Ms. Grannemann inquired if the Borough is trying to pull this together for the February deadline, or should we wait another year. Mr. replied that he didn't think that it's unrealistic to pull together and asked Mr. Gilliland if he agreed. Mr. Gilliland agreed that it could be done. Ms. McCarthy-Johnson directed this to the Capital Planning Committee and Mr. Lefebvre directed that project ideas be sent to Mr. Shattuck.

**4. Discussion-Eastridge Library Branch lease extension.**

Ms. McCarthy-Johnson asked if the Borough should be renting to a church. Ms. Garrett stated that she is not in favor of renewing the lease. Ms. McCarthy-Johnson noted that if the Borough rents to the church, we will have to rent to anyone. The Solicitor remarked that the Borough then creates an open forum. Mr. Taiani suggested that we treat it as a commercial lease, and give 30 days' notice not to renew. Ms. Macklin suggested extending the time frame to 90 days. Ms. McCarthy-Johnson stated that there is another issue, in that Alcoholics Anonymous meets in, and gives a donation to, the Library. The Solicitor asked if the Borough should have a policy regarding use of the facility.

By consensus, Council agreed to the non-renewal of the lease with Redeemer Orthodox Presbyterian Church, with 60 days' notice to vacate the premises.

**5. Discussion-Ownership of Green Street Park.**

Mr. Lefebvre stated that he would like the solicitor to take action to ensure that the Borough takes ownership of the park. Mr. Witherel noted that this was the first time he was seeing the petition, which was started in January of 2013. Ms. Kauffman added that Judge Hoots made a decision in September of 2013 that was appeal to Commonwealth Court, where it was upheld. Mr. Witherel stated that closing on the property may have already occurred, but that the Borough could file a claim to quiet title if the closing has not yet happened. Ms. McCarthy-Johnson stated that the

decision needs to be the will of Council and asked if the Borough wants to try to own the park again. Mr. Lefebvre stated that the Borough has maintained the park for 50 years, and questioned why the school district should benefit financially from the Borough's efforts. Ms. Macklin asked why this had been going on for 2 years, and Ms. McCarthy-Johnson replied that the Borough didn't know about it. Mr. Shattuck pointed out that the Comprehensive Plan lists a number of facilities, and that the Parks & Recreation Advisory Board has visited all of them to determine which are parks and which are owned by the Borough. He stated that the 2000 Recreation Plan listed a total of 15 parks. Mr. Taiani suggested that the solicitor draft a memo for the following week's meeting, and that Council can then take official action. Mr. Witherel responded that he could hopefully have something in writing to Council before the meeting. Mr. Shattuck added that the school district previously offered it to the Borough with the stipulation that it be used for recreation, and that the Borough turned down the offer.

By consensus, Council directed the Borough Solicitor to review the relevant paperwork and prepare a memo regarding ownership of Green Street Park.

A question was raised about the status of Whitney Park, and Mr. Shattuck responded that the first of 3 meetings has been held, with the second meeting planned for February.

#### **6. Discussion – Authorities, Boards and Commissions.**

Ms. McCarthy-Johnson stated that there are appointments to be made by the end of the month, but that Council needs to review the composition of the Authorities, Boards and Commissions to see if they reflect a cross-section of Wilkinsburg. She also stated that the Borough needs to advertise all open positions. Ms. Trice stated that she has been asking for minutes from the Authorities, Boards and Commissions for the last 2 to 3 years, and that she has not been receiving them. Mr. Witherel noted that Municipal Authorities are a political subdivision, and the minutes are open records, but that for Boards and Commissions, it depends. He further stated that the Planning Commission is a part of the Borough, and their minutes are public records; others depend on how they are set up. Ms. Macklin stated that the Borough has designated the WCDC as our development corporation, and that she has asked for their minutes. Ms. McCarthy-Johnson responded that she has asked Tracey Evans to come to Council meetings either monthly or quarterly to report. Ms. Macklin stated that a local business, Mercury Printing, is leaving, and asked what the WCDC is doing.

#### **7. Discussion-Use of OC pepper spray by Code Enforcement officers.**

Ms. Bahn detailed the concerns of the Borough's insurance brokers regarding the use of pepper spray by non-police personnel, and that our insurance premiums will rise. Code Enforcement Officer Jim Franks explained the training that code enforcement officers have received in the use of the spray, and the safety concerns expressed by officers.

Ms. Macklin moved to approve the use of OC Pepper spray by Code Enforcement Officers and Ms. Trice seconded the motion.

**All voted in favor of the motion. Motion carried 9-0.**

## **OTHER BUSINESS**

Mr. Gilliland reported on the status of CD 40 Emergency Demolitions, noting that the Borough will need to commit \$26,000 as the County share is not sufficient to cover the costs of the lowest bid.

Ms. Macklin moved to authorize CD 40 Emergency Demolitions and the expenditure of \$26,000 of Borough funds for same; Ms. Grannemann seconded the motion.

Mr. Taiani stated that Council needs to have the solicitor file suit against the homeowners of the properties slated for demolition to recoup expenses, piercing the corporate veil if necessary. He also noted that in the case of 812 Coal, the Borough is spending funds to demolish a property that is owned by a nonprofit organization.

**All voted in favor of the motion. Motion carried 9-0.**

Regarding the issues of expenses for the holiday parade, Mr. Lefebvre stated that the bottom line is that Council and the school district were not consulted, and the planners were aware of the budget. Ms. McCarthy-Johnson stated that we have to have the invoices. Ms. Macklin suggested that the Mayor should be present to answer questions, and Mr. Shattuck stated that the planners should have prepared their request in a timely manner. Ms. Grannemann suggested that once the invoices are received, the additional \$500 be taken from the Community Day budget, and Ms. McCarthy-Johnson stated that SD transit could be asked to lower their fee.

## **PUBLIC COMMENT**

Code Enforcement Officer Jim Frank stated that it's a new year, and that the Borough seems to be going in a new direction. He further stated that he took an oath to protect Borough property.

Ms. Kauffman noted that she can provide materials related to Green Street Park electronically to Mr. Witherel.

Mr. Shattuck stated that regarding capital planning, he and Ms. McCarthy-Johnson met with the WCDC and representatives will come to the Council meeting on 21<sup>st</sup> regarding tax relief for the business district. He also noted that the final draft of the traffic study is complete, and the engineer is reviewing estimates and options for conversion of the decorative lampposts to LED. He further remarked that 22 new trash cans have all been installed, and DPW will be removing the old ones.

At approximately 8:42 pm, Council recessed to executive session; Ms. McCarthy-Johnson indicated that Council may take action afterwards.

## **ADJOURNMENT**

---

Vanessa McCarthy-Johnson  
President Council